

## **Historic, archived document**

Do not assume content reflects current scientific knowledge, policies, or practices.



# Animal Welfare Report

## Fiscal Year 2001

---

Report of the Secretary of Agriculture  
to the President of the Senate and the  
Speaker of the House of Representatives



United States Department of Agriculture  
Animal and Plant Health Inspection Service  
APHIS 41-35-075

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202)

720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD).

USDA is an equal opportunity provider and employer.

---

Each year, the Secretary of Agriculture reports on administration and enforcement activities under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the AWA. The present report covers fiscal year (FY) 2001, from October 1, 2000, through September 30, 2001.

# Contents

<b>Report of Fiscal Year 2000 Activities</b>	<b>1</b>
Performance-Based Management	
<b>The AWA: A Legislative and Regulatory History</b>	<b>2</b>
The Law	
The Regulations	
<b>How USDA Administers the Law</b>	<b>5</b>
Animal Care	
AC Appropriations for FY 2001	
Investigative and Enforcement Services	
Animal Welfare Information Center	
<b>Inspection Highlights</b>	<b>7</b>
Risk-Based Inspection System	
Class B Dealer Tracebacks Continue Success	
Complaints and Searches	
After the Inspection	
Inspector Training and Development	
New Database Online	
AC Inspectors Are Proactive, Dedicated, and Compassionate	
<b>Inspections by Business Type</b>	<b>12</b>
Animal Dealers	
Animal Exhibitors	
Carriers and Intermediate Handlers	
Research Facilities	
Reports From Research Facilities	
<b>Enforcement Highlights</b>	<b>17</b>
APHIS' Enforcement Strategy Yields Results	
Stronger Cases Through Digital Photography	
Maximum Fines Raised Due to Inflation	
The High-Priority Designation	
The Results Are in the Numbers	
<b>Public Outreach</b>	<b>19</b>
Doing More Business on the Web	
Industry Report in Fifth Year of Updating Stakeholders	
Safe Pet Travel Video Flies the Airways	
Automated Telephone Service Assists Travelers	
Answering Public Inquiries	
Assisting the Media	
Animal Welfare Inspection Available Through E-FOIA	
Liaison With Other Federal Agencies	
Cooperating and Communicating With Stakeholders	
AWIC Focuses on Educational Efforts	

**Regulatory and Policy Initiatives** 24

Congress Does Not Allow Funds for Regulations on Rats, Mice, and Birds  
Change Allows More Flexibility in Placing Confiscated Animals  
Pain Categorization Change and Definition for “distress” Considered  
Comments Sought on Proposed Licensing Changes  
Comments Reviewed on Environmental Enrichment Policy  
Perimeter Fencing Rule Completed  
Work Progresses on Swim-With-the-Dolphins Rule  
Policies Completed  
Other Policy Initiatives  
Other Initiatives

**Glossary of Terms** 28

**Appendix** 31

Table 1. Number of Licensees and Registrants by Facilities and Number of Sites (FY 2001)  
Table 2. Animals Used in Research (FY 2001)  
Table 3. Animals Used in Research, No Pain or Distress—No Drugs Needed for Relief (FY 2001)  
Table 4. Animals Used in Research, With Pain or Distress—With Drugs Used for Relief (FY 2001)  
Table 5. Animals Used in Research, With Pain or Distress—No Drugs Used for Relief (FY 2001)  
Table 6. Animals Used by Research From the First Reporting Year (1973) to the Present

**Attachments**

Animal Welfare: List of Licensed and Registered Facilities

# Report of Fiscal Year 2001 Activities

Each year, the Secretary of Agriculture reports on the administration and enforcement of the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the Act. This report covers such activities for fiscal year (FY) 2001, October 1, 2000, through September 30, 2001.

In addition to identifying facilities and reporting on investigations and inspections as required by Section 25 of the Act, this report provides information on related enforcement and regulatory initiatives. This report and the data and findings in it are not released outside the Federal Government until the report has been made public by Congress.

---

## Performance-Based Management

Under the mandate of the Government Performance and Results Act, the Animal Care (AC) unit of the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has taken an active role in measuring its effectiveness in meeting the provisions of the AWA. The primary measure used in FY 2001 was the percentage of facilities in compliance with regulations. Based on data available as of October 2001, the overall level of facility compliance remained the same, 58 percent in FY 2000 and 58 percent in FY 2001.

The AC management team continued development of several additional measures of program effectiveness. A customer satisfaction survey was conducted for regulated facilities in February 1997 and established a baseline level of satisfaction. Before repeating the facility survey, AC plans to survey animal protection organizations.

---

# The AWA: A Legislative and Regulatory History

## The Law

In 1966, Congress enacted Public Law (P.L.) 89–544, known as the Laboratory Animal Welfare Act. This law regulated dealers who handle dogs and cats, as well as laboratories that use dogs, cats, hamsters, guinea pigs, rabbits, or nonhuman primates in research.

The first amendment to the Laboratory Animal Welfare Act was passed in 1970 (P.L. 91–579) and changed the name of the law to the AWA. This amendment authorized the Secretary of Agriculture to regulate other warmblooded animals when used in research, exhibition, or the wholesale pet trade.

An amendment in 1976 (P.L. 94–279) prohibited most animal fighting ventures and regulated the commercial transportation of animals. Another amendment was added to the AWA in 1985 as the Improved Standards for Laboratory Animals Act, which was part of the Food Security Act. These amendments required the Secretary to issue additional standards for the use of animals in research.

In 1990, provisions concerning injunctive relief and pet protection were added to the AWA. These two provisions were included in the Food, Agriculture, Conservation and Trade Act of 1990. The injunctive relief provision authorizes the Secretary to seek an injunction to stop certain licensed entities from continuing to violate the AWA while charges are pending. (Injunctions are used in cases of stolen animals and where an animal's health is in serious danger or may become endangered.)

The pet protection provision mandated that the Secretary issue additional regulations pertaining to random-source dogs and cats. (Random source means “dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his or her premises.”)



In April 2000, a Department of Transportation (DOT) law was enacted requiring air carriers to report incidents involving animals. The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181, also known as the Federal Aviation Administration [FAA] reauthorization bill) requires carriers to submit monthly reports to the Secretary of Transportation regarding any incidents involving the loss, injury, or death of an animal (as defined by the Secretary of Transportation). The Transportation and Agriculture secretaries will enter into a memorandum of understanding (MOU) to share this information. The law also calls for data based on these incidents to be published as the FAA does for other consumer complaints and incident data.

Provisions of the law also include improving training for air carrier employees concerning the air transport of animals and notifying passengers of the conditions under which the animals are traveling. For example, under the new law, airline personnel would explain the difference in climate between the cargo hold, where the animal is traveling, and the passenger cabin. USDA expects to be working with DOT on developing the MOU, related regulations, and educational materials.

## The Regulations

USDA is charged with developing and implementing regulations to support the AWA. These regulations, which appear in Title 9, Code of Federal Regulations (CFR), Chapter 1, Subchapter A, Parts 1–3, require the licensing of animal dealers, exhibitors, and operators of animal auction sales where animals regulated under the AWA are sold.

Licenses are valid unless the licensee terminates the license voluntarily or fails to renew it or an administrative law judge suspends or revokes the license in an enforcement proceeding. Licensing fees for dealers and exhibitors are determined by a graduated schedule listed in the regulations [9 CFR 2.6(5)(c)]. Dealers pay between \$30 and \$750, and exhibitors pay between \$30 and \$300 per year. These fees are deposited as miscellaneous receipts in the U.S. Treasury.

The regulations also require all carriers, intermediate handlers, and exhibitors not subject to licensing and all non-Federal research facilities using animals to register with the Secretary of Agriculture. There is no charge to register. Table 1 in the appendix provides a list of the number of licensees and registrants for each State, Guam, Puerto Rico, and the U.S. Virgin Islands.

All licensees and registrants must provide their animals with care that meets or exceeds USDA's standards for veterinary care and animal husbandry. These standards include requirements for handling, housing, feeding, sanitation, ventilation, shelter from extreme weather, veterinary care, and separation of species when necessary.

Over the years, USDA has made substantive changes to the AWA regulations. In the late 1980s, USDA amended the requirements pertaining to the use of animals in research. In response to the Improved Standards for Laboratory Animals Act, these amendments established standards for the exercise of dogs and the psychological well-being of nonhuman primates. The amendments also set standards to minimize the pain and distress of animals; ensure the

proper use of anesthetics, analgesics, and tranquilizers; and require researchers to consider alternatives to painful procedures.

To ensure that these standards are met, the amendments require each research facility to establish an Institutional Animal Care and Use Committee to approve and monitor all research conducted at the institution. USDA published the final regulations for Parts 1 and 2 of Title 9, CFR, Chapter 1, Subchapter A, on August 31, 1989; those for Part 3 were published on February 15, 1991.

USDA published revised standards for guinea pigs, hamsters, and rabbits in final form in the Federal Register on July 15, 1990. These standards increased the minimum space requirements for cages and provided additional requirements to protect animals being transported via common carrier.

In 1993, USDA established holding periods for animals in pounds and shelters and certification requirements to ensure that animals have been held for the duration of these periods. The regulations were published as a final rule on July 22, 1993, and became effective August 23, 1993.

In February 2000, USDA adopted two guides that facilities can use to clarify accepted standards of care for agricultural animals used in nonagricultural research or exhibition. In June 1990, USDA began regulating horses used for biomedical or other nonagricultural research and other farm animals used for biomedical or other nonagricultural research or for nonagricultural exhibition. Previously, the standards in Title 9, CFR, Chapter 1, Subchapter A, Part 3, Subpart F, applied. In 1999, USDA requested and received comments on adopting in the regulations two existing guides on standards as they apply to the handling, care, treatment, and transportation of these animals. The guides are the “Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching,” published by the Federation of American Societies of Food and Science, and the “Guide for the Care and Use of Laboratory Animals,” published by the Institute of Laboratory Animal Research. More information on the



guides can be found in AC Policy 29, posted on the Web at [www.aphis.usda.gov/ac/policy/policy29.pdf](http://www.aphis.usda.gov/ac/policy/policy29.pdf)

During FY 2001, USDA developed and published several more rules, policies, and other tools to provide more consistent interpretation of the requirements through clarifications and details:

- In January 2001, AC published a final rule allowing confiscated animals to be placed with facilities or persons not licensed under the AWA. The person or facility must be able to offer a level of care equal to or exceeding that required by the regulations. The change in the regulations benefits confiscated animals by giving AC more flexibility and options in relocating them, resulting in quicker removal from situations detrimental to their health and well-being.
- In January 2001, USDA published a final rule based on the consensus language regarding marine mammal regulations (subpart E). This language was derived from the negotiated rulemaking committee of stakeholders established under the Federal Advisory Committee Act. Major stakeholders were identified in 1995 and asked to participate on the committee. The committee met in 1995 and 1996 to develop regulatory language to amend a large portion of the marine-mammal-specific regulations.
- In July 2000, AC requested comments on possible changes to the pain and distress categorization system and the creation of a definition for “distress” in the AWA regulations. Comments were accepted for 4 months and were reviewed. At the end of FY 2001, AC was working on a report and summary of options on how to proceed.
- In FY 2001, AC reviewed comments on a revised draft policy regarding training and handling of potentially dangerous wild and exotic animals. AC received more than 250 comments during the 2 months they were accepted. A revised draft has been submitted to the Department for final approval and clearance.
- In July 1999, USDA published its final decision to not change the definition of “retail pet store” but did decide to license wholesale dealers of hunting, security, and breeding dogs, based, in part, on a petition and several thousand comments received during the rulemaking process. In December 2000, AC published a proposed rule to change the definition of “dealer” to require that only wholesale dealers of hunting, breeding, and security dogs be licensed and inspected. AC received approximately 11,000 comments by April 3, 2001. In July 2001, a Federal judge determined that a decision could not be made about the regulation because it is not a final rule, only a proposed rule. The judge did rule that Congress’ intent with the law was to exempt storefronts as retail pet stores, not home breeders. That decision may be appealed.



## Animal Care

Within USDA, the APHIS AC program is responsible for administering the AWA. AC's mission is to provide leadership in establishing acceptable standards of care and treatment and to monitor and achieve compliance through educational and cooperative efforts.

The AC program is headquartered in Riverdale, MD, and has regional offices in Raleigh, NC, Fort Collins, CO, Fort Worth, TX, and Sacramento, CA. These offices are charged with administering the AWA in each of their respective areas.

In FY 2001, AC's Western and Central Regions began consolidation into one region with the new Western Region office in Fort Collins. The current offices in Fort Worth and Sacramento will remain open as satellite offices until the physical office consolidation can be completed in summer 2002.

The map on this page shows AC's regional structure current to the end of this reporting period (September 30, 2001). The box provides the addresses, phone numbers, and fax numbers for all AC offices, as well as AC's home page on the World Wide Web and e-mail address for incoming correspondence.

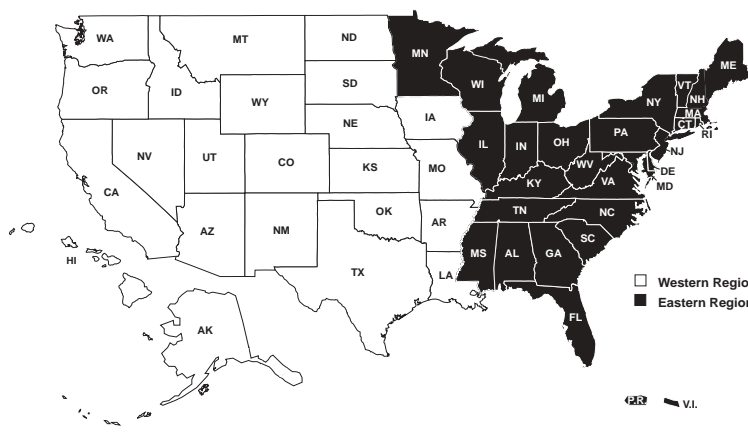
Each regional AC office employs a cadre of field veterinary medical officers and animal care inspectors. The number of field inspector positions at the end of FY 2001 was 82. These employees are highly qualified and have an excellent professional support system and communication network. Many also have specialized interest and expertise in such areas as the care of laboratory animals, zoo animals, or marine mammals.

In enforcing the AWA, APHIS inspectors work closely with other Federal agencies and frequently interact with regulated professional groups, industry organizations, humane groups, the scientific community, and other concerned associations or individuals. In FY 2001, AC personnel attended about 150 training sessions and meetings and gave 146 presentations at 104 of them. AC also exhibited and provided informational materials from a booth at 12 such events.

### USDA-APHIS-Animal Care

<b>Headquarters Office</b>
4700 River Road, Unit 84 Riverdale, MD 20737-1234 Phone: (301) 734-7833 Fax: (301) 734-4978
<b>Eastern Region</b>
920 Main Campus Drive, Suite 200 Raleigh, NC 27606 Phone: (919) 716-5532 Fax: (919) 716-5696
<b>Western Region—Fort Collins</b>
2150 Centre Avenue, Building B Fort Collins, CO 80526 Phone: (970) 494-7478 Fax: (970) 494-7460
<b>Western Region—Sacramento</b>
9580 Micron Ave., Suite J Sacramento, CA 95827 Phone: (916) 857-6205 Fax: (916) 857-6212
<b>Western Region—Fort Worth</b>
P.O. Box 915004 (letters) 501 Felix Street, Building 11 (packages) Fort Worth, TX 76115-9104 Phone: (817) 885-6923 Fax: (817) 885-6917
<b>World Wide Web Home Page</b>
<a href="http://www.aphis.usda.gov/ac">www.aphis.usda.gov/ac</a>
<b>E-mail Address</b>
<a href="mailto:ace@aphis.usda.gov">ace@aphis.usda.gov</a>

### Animal Care



## AC Appropriations for FY 2001

In FY 2001, the AC program received appropriations totaling about \$12 million for activities related to animal welfare. The next tabulation shows APHIS' animal-welfare-related appropriations for FY 1996–01 in unadjusted dollars. Supplemental funding is explained in the following text.

**Appropriations for Animal Welfare, FY 1996–2001**

<b>FY</b>	<b>Annual appropriation for enforcement of the Animal Welfare Act</b>
2001	\$12,140,000
2000	\$10,167,000
1999	\$9,175,000
1998	\$9,175,000
1997	\$9,182,000
1996	\$9,185,000

In July 2001, Congress passed a \$3 million supplemental appropriation that included \$1 million for APHIS to strengthen enforcement of the AWA. The Secretary provided an additional \$250,000 to further enhance the AC program, for a total of \$1.25 million. With the supplemental appropriation came language from Congress directing APHIS to hire more inspectors and conduct more followup inspections on facilities not in compliance with the AWA. By the end of FY 2001, AC had gone from 75 to 82 inspector positions and plans to create more in FY 2002.

The Secretary allowed APHIS to determine how best to distribute these funds internally between inspections and enforcement. Accordingly, an agreement was reached whereby AC would receive \$1 million for increased inspections, and Investigative and Enforcement Services would receive \$250,000 for activities to support and follow up on the increased inspections.

Congress also specified that no FY 2001 appropriations could be used to promulgate any regulations regarding the removal of the exemption of rats, mice, and birds from the definition of “animal.”

## Investigative and Enforcement Services

Complementing AC's efforts is APHIS' Investigative and Enforcement Services (IES) program. IES supports all APHIS programs in the goal of enhancing compliance with agency regulations. Toward this end, IES utilizes comprehensive investigations and sound enforcement actions. IES also works closely with USDA's Office of the General Counsel, other Federal agencies, State and local governments, and industry groups. IES is headquartered in Riverdale and has regional offices in Raleigh and Fort Worth. IES has also begun the process of moving its Western Region office to Fort Collins, where all APHIS western regional offices will be located, in summer 2002.

## Animal Welfare Information Center

The National Agricultural Library's (NAL) Animal Welfare Information Center (AWIC) also supports AC's efforts. AWIC was established in December 1986 to provide valuable information pertaining to possible duplication of research involving animals, methods of humane animal care and use, alternatives to the use of live animals in research, and methods to minimize pain and distress to animals. AWIC also provides materials for the training of personnel and other products and services that support the administration and regulatory requirements of the AWA.

### USDA–NAL–AWIC

<b>AWIC Coordinator</b>
National Agricultural Library 10301 Baltimore Blvd. Beltsville, MD 20705 (301) 504–6212
<b>E-mail Address</b>
awic@nal.usda.gov

## Inspection Highlights

AC personnel perform two major types of inspections: precensuring/preregistration inspections and unannounced compliance inspections.

To determine whether prospective licensees are in compliance with the AWA, AC personnel perform precensuring inspections of dealers and exhibitors prior to granting them licenses. Preregistration inspections are not required under the Act, but many facilities request AC's consultation. Whenever possible, the program honors these requests to promote the highest level of compliance.

Unannounced compliance inspections are performed at the facilities of all licensees and registrants to ascertain whether they are operating within the regulations. The AWA requires that APHIS perform at least one compliance inspection per year at each research facility that uses animals in experimentation. For nonresearch facilities, APHIS uses a risk-based system to determine inspection frequency.

---

### Risk-Based Inspection System

The risk-based inspection system was put into place in February 1998 to support AC's focused inspection strategy, allowing more frequent and in-depth inspections at problem facilities and fewer at those consistently in compliance. The system uses several objective criteria, including past compliance history, to determine the inspection frequency at each licensed and registered facility. Facilities meeting the criteria for low-frequency intervals are subject to inspection once every 2–3 years. Facilities determined to require high-frequency inspections are subject to inspection at least every 6 months. Those in the middle are inspected about once per year. Registered research facilities are inspected at least once per year, as required by the AWA. With this system, AC has been able to provide more in depth inspections and improve the agency's interactions with licensees and registrants—an approach that APHIS firmly believes makes better use of AC's inspection resources.




---

### Class B Dealer Tracebacks Continue Success

Since FY 1993, APHIS has conducted an intensive traceback effort on dogs sold by random-source, class B animal dealers. These dealers, who supply animals to the research community, typically obtain them from pounds and shelters, pet owners who wish to relinquish ownership, and other legitimate sources. However, there has always been concern that some of these dealers may be trafficking in stolen animals.

Under the AWA, random-source dealers are required to maintain accurate records of the acquisition and disposition of their animals. APHIS' traceback effort has focused on making sure these records are accurate and complete. To optimize this effort, APHIS has conducted quarterly inspections of all random-source dealers since the traceback project went into effect in 1993. AC has also taken stringent enforcement action when violations are found. Since 1993, this includes issuing nearly \$525,000 in fines, suspending 6 licenses, and revoking 12 more. At the end of FY 2001, six cases were under investigation.

The fruits of this effort have been tremendous. From FY 1993 through 2001, the percentage of animals traced back to their original source has increased from a little more than 40 percent to 96 percent. (This figure

does not include 23 tracebacks still being conducted at the end of FY 2001.) At the same time, the number of random-source dealers has decreased from more than 100 to 20. Moreover, the number of random-source dealers under investigation has decreased from a high of 260 in 1992 to only 6 in FY 2001.

Efforts have also been stepped up by regularly conducting tracebacks on dogs and cats originating with owners, not just random sources such as shelters. At least two to three tracebacks are conducted during every inspection, whether the animals were obtained from random sources or original owners or breeders. The traceback process also includes asking the original source of the animal what they were told about the animal's future disposition (e.g., were they told the animal could be used in biomedical research?).

For FY 2001, 96 percent of all tracebacks were successful in reaching the original owners. The number of class B dealers selling dogs and cats to research was 20 at the end of FY 2001.

---

## Complaints and Searches

In addition to conducting routine inspections of licensed and registered facilities, AC personnel also follow up on public complaints to determine whether regulated animals are receiving proper care and/or the animal owner(s) should be licensed or registered. APHIS regards these activities as critical to successful enforcement of the AWA.

AC personnel also conduct periodic searches to determine whether there are regulated facilities operating without a license or registration. In FY 2001, AC conducted 240 compliance inspections at unlicensed and unregistered facilities.

---

## After the Inspection

If AC inspectors discover conditions and records that are not in compliance with the regulations, AC typically establishes a deadline for correcting these items and provides it in the inspection report. In conjunction with IES, AC immediately investigates any situations that may have caused unnecessary animal suffering or death. Inspectors are required to reinspect any facilities where areas of noncompliance were found that have, or are likely to have, an impact on the well-being of the animals. If the conditions remain uncorrected, AC documents them for possible legal action. In cases of unrelieved suffering, AC may confiscate the animals or arrange for their placement elsewhere. With the assistance of IES, AC acted in one such situation in FY 2001.

---

## Inspector Training and Development

In July 2001, AC sponsored a 4-day elephant management course in San Diego, CA. The course was held at the San Diego Zoo, San Diego Wild Animal Park, and Have Trunk Will Travel, a private elephant facility. Twenty inspectors attended the course, which consisted of classroom work and field work at the facilities, including hand-on experience with the elephants. Topics included protected and free contact, methods of housing and training, diets, foot care, natural history, breeding, conservation, and veterinary care. This was the fifth elephant management course sponsored by AC since 1998.

AC's Internal Training Team has developed preceptorship programs for transportation and exhibitor specialties to be launched in FY 2002. A second set of Field Specialty certification programs is also in development. These programs will provide AC with in-house expertise in various areas. AC also began developing teams for specialized topics such as elephant oversight and large-cat issues.



---

## New Database Online

Beginning in FY 2000, AC converted to its new Licensing and Registration Information System (LARIS) and discontinued the old system January 1, 2000. This new database provides a single storage center for licensing, registration, and inspection data on regulated parties throughout the United States. In FY 2001, all AC inspectors and supervisors were trained on the database, allowing inspectors to enter inspection data directly from remote locations using their laptop computers.

A prototype Web-based application was posted online to allow inspection reports for each facility to be available through electronic Freedom of Information Act (E-FOIA) access over the Internet. The new system allows for an array of data to be collected, including a complete compliance history, most common areas of noncompliance, and number of animals involved in those situations. Our risk-based inspection system has been incorporated into the database, and inspectors now get reports on their facilities based on risk-based criteria. Additionally, at any given time, management can track the status of compliance and precertification inspections.

---

## AC Inspectors Are Proactive, Dedicated, and Compassionate

One of AC's Indiana-based inspectors helped resolve a situation in which one of his licensees developed Alzheimer's disease over a year, losing the ability to care for his animals. The inspector met several times with the licensee's family and attorney and a licensee in another State who agreed to take the animals. The inspector ensured that the new owner knew when animals were in need of care and followed up to ensure they received the care.

A Pennsylvania AC inspector assisted local authorities with a confiscation based on an animal cruelty complaint from the public. AC was already investigating the facility for unlicensed exhibiting and dealing. The



animals at the facility were living in very poor conditions. When checking up on them, the inspector noticed an elderly woman being cared for in the home. She had recently been released from the hospital, and her medications had gotten mixed up with the animals'. The inspector notified the local social services agency about the situation.

Two AC inspectors in Texas provided assistance to licensed and registered facilities in Houston following Tropical Storm Allison. Several facilities suffered a great deal of damage and destruction that affected their animals. One of the inspectors worked directly with the Texas Gulf Coast Disaster Preparedness Committee to assist with cleanup and repairs.

One Florida AC inspector helped find a home for Jimmy, a capuchin monkey who spent many years in an enclosure at an unlicensed pet dealer. The inspector helped to relocate the animal as a condition for moving forward on settlement of USDA charges against the dealer. The owner took the inspector's advice, despite the pending investigation and inspection citations, and moved Jimmy to a much better situation.

A Pennsylvania AC inspector worked with local officials and the Centers for Disease Control and Prevention to narrow down the source of *Escherichia coli* infections of 21 children. A petting zoo's calf-petting exhibit turned out to be the source and was closed.

A New York AC inspector worked with State police and a local humane group on an inspection of an unlicensed stable and petting zoo. Conditions were very poor, including a lack of feed and dead animals left in their cages. The inspector assisted with the care and placement of the remaining animals and completed a thorough photographic documentation of the area.

AC inspectors in Nebraska and Iowa found licensees in each of those States with dogs exposed to extreme winter elements. The Nebraska inspectors spent 2 days at the kennel to ensure the dogs were provided adequate shelter to protect them from single-digit temperatures. The owner also provided needed veterinary care to several dogs. A repeat visit by a South Dakota inspector ensured that the owner followed up on several other problems, avoiding confiscation.

The Iowa inspectors ensured that dogs in the facility they inspected had bedding, food, and water before leaving and convinced the owner to voluntarily surrender the dogs to the Iowa Pet Breeders Association the following day.

The next tabulation details the number of inspections of licensees and registrants conducted during FY 2001. Subsequent tabulations chronicle the number of different types of inspections conducted from FY 1997 through FY 2001.

#### FY 2001 AWA Inspections

	Total number of facilities (and sites) <sup>1</sup>	Number of inspections by category
<b>Inspections for Compliance<sup>2</sup></b>		
Dealers <sup>3</sup>	4,739 (5,792)	4,748
Research facilities	1,216 (1,868)	1,556
Exhibitors	2,549 (3,457)	2,753
Intransit handlers	300 (493)	103
Intransit carriers <sup>4</sup>	77 (1,139)	277
<b>Total</b>	<b>8,881 (12,749)</b>	<b>9,437</b>
<b>Other Inspections</b>		
Prelicensing and preregistration inspections	NA	1,623
Compliance inspections of unlicensed, unregistered facilities	NA	240
Attempted inspections of dealers and exhibitors	NA	705
<b>Total</b>		<b>2,568</b>
<b>Total of Inspections for Compliance and Other Inspections in FY 2001</b>		<b>12,005</b>

<sup>1</sup> See the glossary of terms for the definitions of "facility" and "site."

<sup>2</sup> Inspections for compliance are unannounced inspections and reinspections. These do not include prelicensing or preregistration inspections, auction market observations, or attempted inspections. (Prelicensing/preregistration inspections are announced. Observations of licensed and unlicensed auction markets are made to locate unlicensed dealers. Attempted inspections could not be performed for certain reasons—usually because there was no one available at the facility when the inspector arrived unannounced.)

<sup>3</sup> Dealer inspections for FY 2001 include auction market inspections, which were counted under a separate category until FY 1999.

<sup>4</sup> Intransit Carriers is a category representing commercial airlines. Each airline may have two or more animal transportation sites at each airport it serves. Due to frequent changes in airline activities and other factors, the number of sites may vary.

**Prelicensing/Preregistration Inspections,  
FY 1999–2001**

FY	Total	Dealers	Exhibitors	Research	Not yet classified
2001	1,623	1,041	444	1	137
2000	1,651	938	369	7	337
1999	1,418	991	427		

**Compliance Inspections, FY 1999–2001**

FY	Total facilities (sites)	Total compliance inspections
2001	8,881 (12,749)	9,437
2000	8,773 (10,207)	8,727
1999	7,958 (9,897)	9,096

**Total Inspections Conducted per Year, FY 1996–2001**

FY	Total inspections conducted
2001	12,005
2000	11,090
1999	11,263
1998	13,136
1997	15,898



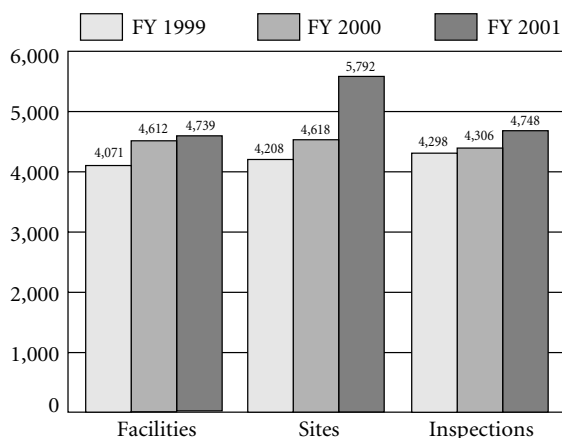


## Inspections by Business Type



Chart 1

### A and B Dealers, FY 1999–2001



Numbers from Licensing and Registration Information System (LARIS) database.

## Animal Dealers

Dealers are individuals who sell regulated animals for research or teaching, wild or exotic animals for exhibition or as pets, or domestic pet animals in wholesale channels. Dealers can hold a USDA license in one of two classes.

Class A licensees are those individuals who deal only in animals that they breed and raise. Class B licensees may breed and raise some of the animals they sell but typically buy and resell animals from other sources. Class B dealers include brokers, operators of auction sales, and “bunchers.”

The numbers of class A and B licensed dealers and sites for FY 1999 through 2001 are listed in the next tabulation. The number of inspections conducted during the same period is shown on chart 1. It should be noted that, of the 1,154 class B dealers, APHIS estimates that 20 supply dogs and cats to research. In FY 1993, there were more than 100 such dealers.

### Licensed Dealers, FY 1999–2001

FY	Total dealers (sites)	Class A dealers (sites)	Class B dealers (sites)
2001	4,739 (5,792)	3,573 (4,180)	1,166 (1,612)
2000	4,612 (4,618)	3,433 (3,391)	1,179 (1,227)
1999	4,071 (4,208)	2,986 (3,039)	1,085 (1,169)

## Animal Exhibitors

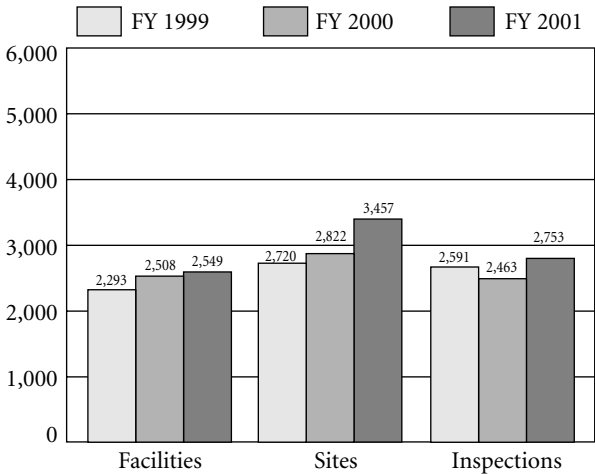
Animal exhibitors may either be licensed or registered under the AWA. Licensed exhibitors are those entities that either obtain or dispose of animals in commerce and exhibit them for compensation. Registered exhibitors do not buy, sell, or transport animals and do not accept compensation.

Licensed exhibitors typically operate animal acts, carnivals, circuses, public zoos, “roadside zoos,” and marine mammal displays. Many of the animals exhibited are species not native to the United States (e.g., nonhuman primates and exotic cats), but exhibited species may also include domestic farm animals and wild animals native to this country.

Listed next are the numbers of exhibitors and sites regulated from FY 1999 through 2001. Chart 2 shows the number of inspections for the same period.

Chart 2

**Exhibitors, FY 1999–2001**



Numbers from Licensing and Registration Information System (LARIS) database.



**Regulated Exhibitors, FY 1999–2001**

FY	Exhibitors		
	Total exhibitors (sites)	Licensed (sites)	Registered (sites)
2001	2,549 (3,457)	2,531 (3,437)	18 (20)
2000	2,508 (2,822)	2,489 (2,803)	19 (19)
1999	2,293 (2,720)	2,276 (2,701)	17 (19)



## Carriers and Intermediate Handlers

Carriers registered with USDA include airlines, motor freight lines, railroads, and other shipping businesses. Registered intermediate handlers are ground freight handlers. Intermediate handlers usually (1) provide services for animals between consignor and carrier and from carrier to consignee, and (2) care for animals delayed in transit.

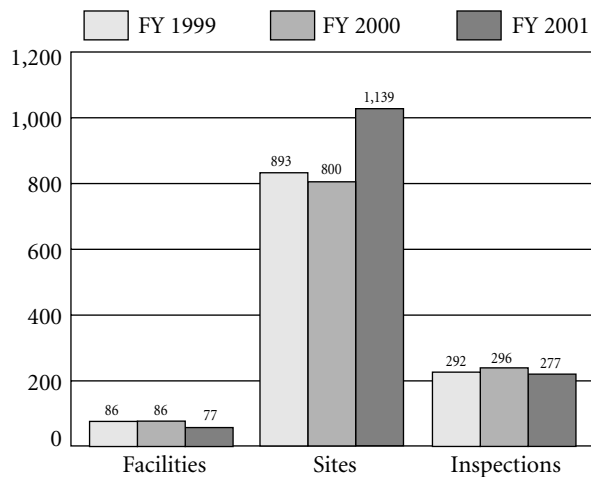
The numbers of sites and registered carriers and intermediate handlers for FY 1999 through 2001 are listed next. Chart 3 shows the number of carrier inspections, and chart 4 shows the number of intermediate handler inspections for the same period.

### Sites and Registered Carriers and Intermediate Handlers, FY 1999–2001

FY	Registered carriers (sites)	Intermediate handlers (sites)
2001	77 (1,139)	300 (493)
2000	86 (800)	302 (422)
1999	86 (893)	276 (432)

Chart 3

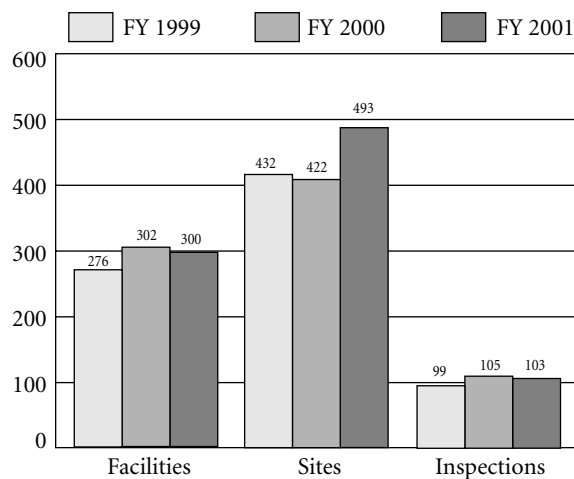
### Carriers, FY 1999–2001



Numbers from Licensing and Registration Information System (LARIS) database.

Chart 4

### Intermediate Handlers, FY 1999–2001



Numbers from Licensing and Registration Information System (LARIS) database.

## Research Facilities

Research facilities that use animals include hospitals, colleges and universities, diagnostic laboratories, and many private firms in the pharmaceutical and biotechnology industries.

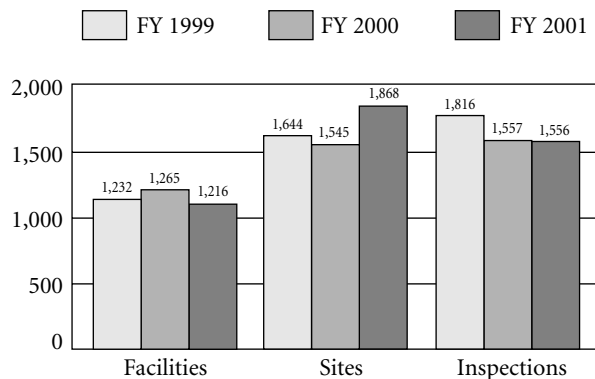
All research facilities are required to comply with the AWA's regulations. Even though Federal facilities are not registered or inspected under the AWA, they are responsible for maintaining compliance with the AWA's regulations and standards. The AWA requires that non-Federal research facilities receive at least one inspection per year to determine compliance.

Throughout 2001, AC worked on guidelines for its field personnel to use when conducting AWA inspections of research facilities. This guide, along with the dealer inspection guide, will increase the quality and uniformity of reports, inspection, and enforcement in the AC program. The guide covers such areas as how to document inspection findings and how to conduct exit interviews. The guide was distributed in FY 2001.

The next tabulation lists the numbers of research facilities and sites for FY 1999 through 2001. Chart 5 shows the number of inspections of research facilities conducted during this period.

Chart 5

### Registered Research Facilities, Total Sites, and Inspections, FY 1999–2001



Numbers from Licensing and Registration Information System (LARIS) database.



### Registered Research Facilities and Sites, FY 1999–2001

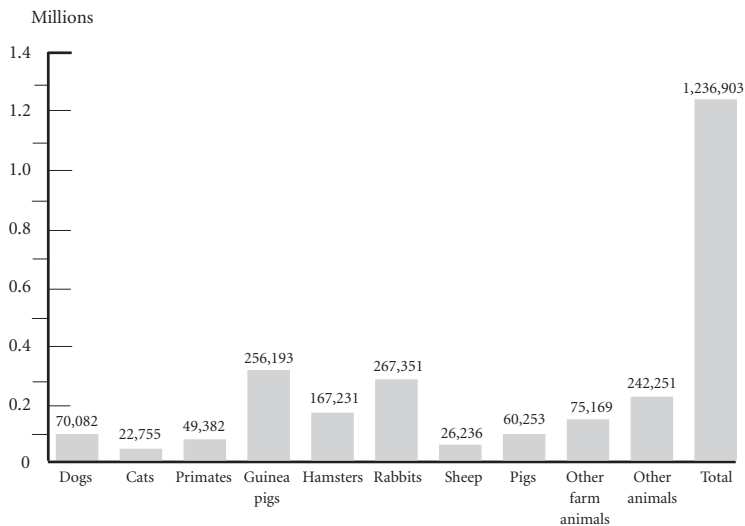
FY	Total facilities	Total sites
2001	1,216	1,868
2000	1,265	1,545
1999	1,232	1,644

## Reports From Research Facilities

Each research facility registered under the AWA and each Federal research facility is required to submit an annual report, signed and certified by the Institutional Official, covering the previous fiscal year. The report lists the number and species of animals used in research, testing, and experimentation and indicates whether pain-relieving drugs were administered. If such drugs were not administered for procedures that cause pain or distress, the report must explain why their use would have interfered with the research or experiment.

Chart 6

### Animals Used in Research, Experiments, Testing, and Teaching, FY 2001



Numbers from Licensing and Registration Information System (LARIS) database

The report must also assure that professionally acceptable standards, including the appropriate use of pain-relieving drugs, were followed and that each principal investigator considered alternatives to painful or distress-causing procedures.

Moreover, the report must demonstrate that the facility adhered to the AWA regulations or that any exception to such adherence was justified by the principal investigator and approved by the Institutional Animal Care and Use Committee prior to experimentation.

For FY 2001, research facilities had the option of submitting these reports electronically over the AC Web site. This option helped eliminate duplicate data entry by AC, saving time and typing errors. It also saved the facilities from duplicating paper reports and postage expenses.

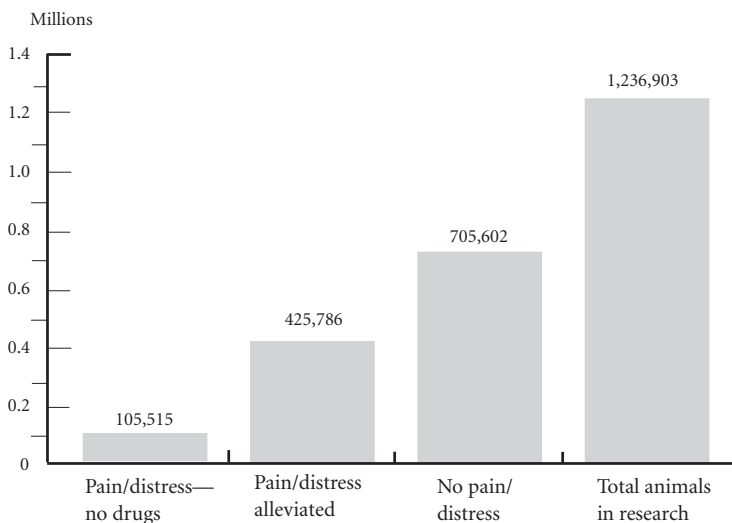
Chart 6 shows the number and species of animals used in research during FY 2001. This number excludes birds and laboratory rats and mice, as well as farm animals used exclusively in agricultural research. Chart 7 shows the number of animals used in research that involved no pain or distress, or that involved pain or distress alleviated with drugs, or that involved pain or distress without relief because use of pain-relieving drugs would interfere with the results of the research or testing.

Tables 1 through 5 of the appendix contain further details. Table 6 reports the total of animals used by research since this report was first published in 1973.

Data from 23 research facilities are not included in this report because they either did not submit a report or submitted it too late for tabulation. Of these facilities, 10 were Federal facilities and 13 were non-Federal. It is a violation of the AWA for a facility, whether active or inactive, not to submit a timely report. AC initiated the appropriate corrective actions.

Chart 7

### Animal Experiencing Pain/Distress, Pain/Distress Relief, or No Pain/Distress During Experiments, FY 2001



Numbers from Licensing and Registration Information System (LARIS) database



# Enforcement Highlights

APHIS' IES personnel investigate alleged violations when corrective measures have not been taken by licensees or registrants to come into compliance with the AWA. Investigations disclosing violations are acted on in a variety of ways depending on their severity. Many infractions can be settled with an official notice of warning or a stipulation offer. (Stipulations allow alleged violators to pay a fine, have their license suspended, or both, in lieu of formal administrative proceedings.)

Cases warranting formal prosecution undergo Department-level review for legal sufficiency prior to issuance of a formal administrative complaint. Formal cases may be resolved by license suspensions, revocations, cease-and-desist orders, civil penalties, or combinations of these penalties through administrative procedures.

---

## APHIS' Enforcement Strategy Yields Results

In FY 2001, AC and IES continued to employ a two-pronged enforcement strategy. For licensees and registrants who show an interest in improving the conditions for their animals, AC and IES actively pursue innovative penalties that allow the individuals to invest part or all of their monetary sanctions in facility improvements, employee training, research on animal health and welfare issues, or other initiatives to improve animal well-being. In doing so, USDA enables the individuals to immediately improve the conditions for their animals while sending a clear message that future violations will not be tolerated. Prior to 1997, most fines were either suspended or paid directly to the U.S. Treasury, but neither of those results directly improved the care provided to the affected animals.

On the other hand, for licensees and registrants who do not improve the conditions for their animals, AC and IES pursue enforcement action. Such action typically includes significant monetary penalties and/or license suspensions or revocations. It may also include confiscation of their animals and relocation of the animals to another facility if they are found to be suffering.




---

## High-Priority Designation

An important component of AC and IES' enforcement strategy is the high-priority designation for certain cases. Cases are deemed high priority based on the following criteria:

- Severity of animal suffering (death or severe injury),
- Past compliance history of facility,
- Potential public or animal safety or health concerns,
- Abusive or potentially violent nature of licensee or registrant,
- Type of facility and species of animal involved, and
- Severity of the issue resulting in extensive public interest.

When a case is given this designation, AC, IES, and USDA's Office of the General Counsel put special emphasis on the investigation and enforcement of a case to expedite its resolution. This measure has been successful in shortening the timeframes of significant cases and providing quicker relief for animals protected under the AWA.

## The Results Are in the Numbers

Through this multifaceted enforcement strategy, the AC and IES staffs and the Office of the General Counsel have been able to virtually eliminate the backlog of AWA cases awaiting resolution through the formal administrative process. The results have been shorter timeframes for resolving cases and the ability to expedite high-priority cases. In addition, APHIS imposed penalties totaling almost \$510,000.

The next tabulation provides detailed information on the number of enforcement actions conducted and resolved during FY 2001. In the tabulation, it should be noted that “Cases Submitted,” “Cases Resolved,” and “Sanctions Imposed” are those actions that actually occurred during the fiscal year even though many of the settled cases were submitted in previous years. This numerical disparity occurs because it takes a case considerable time to work its way through the legal system and appeals process.

## Significant Cases in FY 2001

USDA resolved several cases or brought charges against parties in FY 2001. The following are just a few examples.

In November 2000, APHIS and a zoo in Oregon settled charges that a handler severely beat an elephant. The zoo agreed to a civil penalty of \$10,000. Of that, \$5,000 is to be used to hire outside experts, approved by APHIS, on elephant care and to implement all reasonable recommendations. The other \$5,000 was to be paid to the U.S. Treasury. The zoo also agreed to not rehire the handler who beat the elephant.

In January 2001, a USDA judicial officer upheld a decision that found a Missouri dealer guilty of charges that she was acting as a dog dealer without a license. Her \$5,000 fine was suspended as long as she does not violate the AWA in the future. She is also permanently disqualified from being licensed under the AWA.

## Numbers of Enforcement Actions Conducted and Resolved, FY 1999–2001

Cases Investigated and Reviewed			
FY	Cases	Submitted to IES staff	Submitted for formal prosecution
2001	276	205	95
2000	329	184	101
1999	313	188	104

Case Resolved			
FY	Official warnings	Stipulations offered/settled <sup>1</sup>	Administrative law judges' decisions
2001	178	130/97	83
2000	125	75/100	70
1999	143	87/79	28

Sanctions Imposed			
FY	Fines imposed by administrative law judges	Fines imposed by stipulation	Revocations, suspensions, and disqualifications
2001	\$365,875	\$143,440	10
2000	\$343,301	\$110,848	23
1999	\$585,162	\$ 82,152	16

<sup>1</sup>Some stipulations settled were originally offered in the previous year.

In April 2001, a USDA administrative law judge found a Nevada exhibitor guilty of charges that he harassed APHIS officials and failed to maintain proper acquisition records, keep animal enclosures in good repair, protect stored food from spoilage, provide enclosures to protect animals from inclement weather and the elements, provide sufficient and potable water, control pests, properly clean enclosures, provide sufficient perimeter fencing, and provide sufficient space for animals to make normal postural and social adjustments. He was fined \$27,500, and his license was revoked. This decision was appealed and upheld.

In FY 2001, AC carried out numerous outreach activities, including moving forward with its multiyear public affairs campaign to educate and inform all program stakeholders about the AWA and AC's role in enforcing the law. To support this effort, the program is upgrading all of its existing public affairs materials and creating new products where needed.

---

## Doing More Business on the Web

AC continues to be one of the most frequently visited Web sites in USDA. The Web address ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)) is promoted on all AC publications and listed on specific promotional items such as luggage tags and stickers.

In addition to providing information such as that contained in AC publications, the Web site also provides more details for regulated parties. A license/registration packet can now be requested through the Web site. Research facilities were able to submit their reports for FY 2001 animal use over the Web.

---

## Industry Report in Fifth Year of Updating Stakeholders

During FY 2001, AC continued distributing its Animal Care Report to nearly 2,000 mail subscribers, double its distribution in FY 1997. In addition to providing this free mail subscription, AC publishes the report on the Internet. AC also began taking steps toward publishing and distributing the report exclusively in an electronic format.

This report, which provides brief overviews on all key issues affecting AC's administration of the AWA, is sent to program stakeholders to keep them up to date on current program initiatives. The Internet posting is on the AC homepage ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)).

---

## Safe Pet Travel Video Flies the Airwaves

In FY 2001, AC continued to distribute its animated television public service announcement (PSA) on safe pet travel on airlines. It is estimated that by November 26, 2000, the 30-second spot had aired in a total of 43 States and garnered more than \$1.2 million worth of free airtime. Stations in Bermuda also televised the PSA. Web users can watch the PSA on the APHIS Web site at [www.aphis.usda.gov/lpa/video/index.html](http://www.aphis.usda.gov/lpa/video/index.html). Radio versions of the PSA also in production in FY 2001 were expected to be released before the 2002 travel season.

AC employees continued to distribute the "Traveling With Your Pet" brochure at travel shows and referred people to the Web posting ([www.aphis.usda.gov/oa/pubs/petravel.pdf](http://www.aphis.usda.gov/oa/pubs/petravel.pdf) or [.html](http://www.aphis.usda.gov/oa/pubs/petravel.html)). The APHIS travel page ([www.aphis.usda.gov/travel/index.html](http://www.aphis.usda.gov/travel/index.html)) also provides a link to the brochure and video.

In addition to brochures and kennel stickers with a toll-free information number, AC also distributed factsheets on pet travel.

---

## Automated Telephone Service Assists Travelers

About 3,500 members of the general public used AC's toll-free, 24 hour, automated telephone voice response service (800-545-USDA) during FY 2001. This service provides information on the humane handling of cats and dogs during transport, including the AWA requirements for temperature, shipping documents, food and water, and cage sizes. Designed to be user friendly, the service is recommended for inclusion in training courses for airline cargo handlers, ticket agents, and supervisors.







Answering Public Inquiries

APHIS received and responded to thousands of inquiries about animal welfare from individual citizens, concerned groups, and Members of Congress in FY 2001. Other Federal agencies and the Office of the President also referred animal welfare concerns to APHIS for response. AC responded to more than 10,000 pieces of written correspondence. This includes regular mail, e-mail, faxes, and write-in campaigns. AC is also the source for information needed to respond to more than 1,600 pieces of executive correspondence.

Animal Welfare Inspections Available Through E-FOIA

AC and APHIS’ FOIA office continued to work throughout FY 2001 to make animal welfare inspection reports available over the Internet through E-FOIA. All inspection reports conducted after October 1, 2001, became available through the system. A 21-day delay of availability was instituted to allow for appropriate reviews of the report, if needed. The first reports were available on October 21, 2001.

AC and APHIS also responded to numerous animal-welfare-related FOIA requests the old-fashioned way. The next tabulation lists the number of FOIA requests received for the past 3 fiscal years.

Assisting the Media

AC assisted media officials in various ways during the year. Altogether, APHIS fielded more than 1,100 calls from members of the media and issued 37 press releases related to animal welfare. Most of these releases provided information concerning enforcement actions taken against licensees and registrants (such as settlements, fines, suspensions, and confiscations). The other releases addressed matters such as possible changes in regulations or policies, such as a proposal to change the definition of “dealer” or new rules for placement of confiscated animals.

AC personnel gave local and national television, radio, newspaper, and magazine interviews on various issues relating to the AWA. These included interviews with CNN, NBC’s Dateline, The New York Times, USA Today, and the Wall Street Journal.

Animal-Welfare-Related FOIA Requests Received by APHIS, FY 1996–2001<sup>1</sup>

FY	FOIA requests
2001	919
2000	734
1999	824

<sup>1</sup> These figures include both official FOIA requests processed through APHIS’ FOIA office, with assistance from AC at headquarters, and requests for inspection reports processed through AC’s regional offices. Before FY 1997, all such requests were processed through the FOIA office at headquarters.

---

## Liaison With Other Federal Agencies

AC serves on the Interagency Research Animal Committee, whose members come from Federal agencies involved in the care and use of animals in biomedical research. This committee is responsible for interagency coordination of animal care-and-use concerns and for making contributions to policy development. It also acts as a forum for information exchange and regulation development.

AC also maintains close working relationships with other Federal agencies that deal with animals on regulation and enforcement of the AWA. APHIS cooperated on numerous issues with the U.S. Department of Health and Human Services' National Institutes of Health, CDC, and Food and Drug Administration; the Department of Defense; the Marine Mammal Commission; the U.S. Department of Commerce's National Marine Fisheries Service; the U.S. Department of the Interior's FWS; and the Environmental Protection Agency.

---

## Cooperating and Communicating With Stakeholders

For FY 2001, APHIS and the research community cosponsored a research preceptorship program that sent two AC veterinarians to 4 intensive weeks of training at various research facilities and teaching institutions, plus 1 week at the national meeting of the American Association for Laboratory Animal Science.

AC personnel also attended and participated in national meetings held by various organizations, including the American Zoo and Aquarium Association, the American Association of Laboratory Animal Science, the Applied Research Ethics National Association, and the Scientists Center for Animal Welfare.



AC personnel together attended about 150 industry meetings and training sessions in FY 2001 and presented 146 papers or informal talks at 104 of them. APHIS employees also staffed an exhibit booth at several of these meetings to answer questions and provide information on AC's enforcement of the AWA. AC exhibited and provided informational materials from a booth at 12 such events.

In addition, AC personnel actively interacted with organizations such as the American Zoo and Aquarium Association, the American Veterinary Medical Association, the National Association for Biomedical Research, Americans for Medical Progress, the American Association of Zoo Veterinarians, the Alliance for Marine Mammal Parks and Aquariums, the Association for the Assessment and Accreditation of Laboratory Animal Care International, the International Association of Aquatic Animal Medicine, the Association of Aquatic Life Support System Operators, and the Scientists Center for Animal Welfare. Additional cooperators include The Humane Society of the United States, the Animal Welfare Institute, the American Humane Association, the Animal Protection Institute, the Association of American Veterinary Medical Colleges, and the Air Transport Association. AC is also represented in the United States Animal Health Association and has members on both its animal welfare and captive wildlife committees.



## AWIC Focuses on Educational Efforts

In FY 2001, staff from the Animal Welfare Information Center (AWIC) responded to about 9,640 requests for information and publications, including copies of the AWIC Newsletter, and distributed more than 20,000 published documents to requesters. The AWIC Bulletin was published once in FY 2001 and sent to its 7,500 subscribers in the United States and 48 foreign countries.

AWIC's Web site ([www.nal.usda.gov/awic](http://www.nal.usda.gov/awic)) underwent many changes during the year. The site and its subject areas were restructured, and many documents and new links were added. Press releases from USDA's Agricultural Research Service and APHIS regarding research relevant to animals were regularly updated. Other news links were also posted when the information was relevant and from reliable sources. The average number of hits per month was more than 67,000. Hits for the year totaled more than 808,000 with about 53 million kilobytes of information transferred.

AWIC trained 400 individuals in its workshop entitled "Meeting the Information Requirements of the Animal Welfare Act," which is held at the National Agricultural Library in Beltsville, MD, three times a year and at other locations throughout the country upon request. In FY 2001, AWIC provided training to APHIS AC staff, three universities, two pharmaceutical companies, and a bird rescue organization.

AWIC has posted to their Web site the electronic slides used for the workshop. Other institutions are using them in their training materials. In addition, AWIC continues to collaborate with the Veterans Administration and the National Institutes of Health's Office of Laboratory Animal Welfare to develop materials for an online, interactive tutorial that will provide assistance to researchers as they address the requirements to search for alternatives to painful animal experiments (AC Policy 12). These services are provided at no cost.

AWIC staff exhibited and disseminated materials at five conferences and meetings during FY 2001. Roughly 1,200 pieces of information were distributed to around 1,000 attendees. (This is less than previous years due to a lack of funding.)

AWIC continues to distribute original information products directed to the regulated community. The Center produced five new documents and either printed or made them available through the AWIC Web site. The following publications are available in both print and electronic form:

- Crawford, R. L. October 2000. A reference source for the recognition & alleviation of pain & distress in animals. AWIC Series 2000-03.
- Crawford, R. L. December 2000. A reference source for analgesia & analgesics in animals. AWIC Series 2000-02.
- Crawford, R. L. August 2001. Information resources for amphibians, fish & reptiles used in biomedical research. AWIC Resource Series No. 10.
- Crissey, S. D.; Slifka, K. A.; Shumway, P.; Spencer S. B. May 2001. Handling frozen/thawed meat and prey items fed to captive exotic animals: A manual of standard operating procedures. [Place of publication unknown]: U.S. Department of Agriculture, Agricultural Research Service. 26 p.
- Krause, W. J. September 2001. Information resources on the North American opossum (*Didelphis virginiana*): A bibliography on its natural history and use in biomedical research. AWIC Resource Series No. 9.

The following 695-page document was converted to electronic format in 2001 and made available on the AWIC Web site:

- Allen, T.; Kreger, M. September 2000. Information resources for animal care and use committees 1988-1999. AWIC Resource Series No. 7.

AWIC prepared three other documents during FY 2001. Two were published in early FY 2002 and will be made available in electronic format. The third is in prepublication draft.

- Larson, J. November 2001. The South American camelids: llamas, alpacas, guanacos, and vicunas 1962–2001. AWIC Resource Series No. 12.
- Larson, J. November 2001. Information resources for Old World camels: Arabian and Bactrian 1962–2001. AWIC Resource Series No. 13.
- Ho, J. (draft) A history of veterinary medicine: A bibliography.

## Regulatory and Policy Initiatives



The issue started in spring 1998, when the Alternative Research and Development Foundation filed a petition that would have USDA exercise its authority under the AWA to regulate rats, mice, and birds.

In January 1999, AC published the petition in the Federal Register to solicit public input on whether rats, mice, and birds should be regulated and, if so, how the increased workload should be prioritized. In March 1999, the comment period was extended through May 28, 1999. By the end of FY 1999, AC had received more than 34,000 comments and was still reviewing them throughout FY 2000. AC has also commissioned a study by the Federal research division of the Library of Congress to determine the potential number of additional facilities that might need to be regulated.

---

### Congress Does Not Allow Funds for Regulations on Rats, Mice, and Birds

In March 1999, the Alternative Research and Development Foundation, a group affiliated with the American Antivivisection Society—with In Vitro International and Kristine Gausz, a college student—filed a lawsuit against USDA seeking an order requiring USDA to revise its regulations issued under the AWA to delete the exclusion of rats, mice, and birds from the regulatory definition of “animal.” During FY 2000, the U.S. District Court for the District of Columbia denied USDA’s motion to dismiss the lawsuit. USDA and the plaintiffs reached a settlement at the end of September 2000.

In the settlement, USDA agreed to initiate and complete the rulemaking process, though no outcome to the process was predetermined. In early October, the court ruled the settlement valid, but in subsequent appropriation legislation, Congress prohibited USDA from taking any rulemaking action during FY 2001. For FY 2002, Congress prohibited USDA from issuing a proposed rule for which the comment period would close prior to September 30, 2002, or a final rule that would change or modify the definition of “animal” in the regulations.

---

### Change Allows More Flexibility in Placing Confiscated Animals

In January 2001, AC published a final rule allowing confiscated animals to be placed with facilities or persons not licensed under the AWA. The person or facility must be able to offer a level of care equal to or exceeding that required by the regulations. The change in the regulations benefits confiscated animals by giving AC more flexibility and options in relocating them, resulting in quicker removal from situations detrimental to their health and well-being. The proposed rule was published in May 1999, and comments were accepted for 60 days. Responses to the comments were published with the final rule, which was unchanged from the proposed rule.



---

## Pain Categorization Change and Definition for “Distress” Considered

On July 10, 2000, AC requested comments on possible changes to the pain categorization system and creation of a definition of “distress” in the AWA regulations. Comments were due November 7, 2000. AC received, reviewed, and considered nearly 3,000 comments, including those received after the due date. At the end of FY 2001, AC was working on a report and summary of options on how to proceed. The July 10 Federal Register notice is available on the Internet at [www.aphis.usda.gov/ppd/rad/webrepor.html](http://www.aphis.usda.gov/ppd/rad/webrepor.html) under docket 00–005–1.

---

## Comments Sought on Proposed Licensing Changes

On August 4, 2000, AC requested comments on several proposed changes to and clarifications of AWA regulations, including licensing requirements, procedures, and exemptions. The comment period was extended to November 20, 2000. During FY 2001, AC received, reviewed, and considered the comments before developing the final rule. At the end of FY 2001, APHIS was reviewing the final rule.

AC expects the changes will not only clarify certain licensing regulations but also help AC to better enforce the AWA. One change would allow AC to use an applicant’s violation of other Federal, State, or local laws or regulations pertaining to animal cruelty and handling to keep the party from getting a USDA license. Other proposed changes include

- Expanding requirements of licensees who maintain potentially dangerous animals,
- Changing APHIS’ method for notification of license expiration,
- Clarifying requirements regarding the number of female breeding dogs and/or cats that may be maintained on a single premises without a license, and
- Clarifying requirements regarding the number of dogs and/or cats that can be sold directly to research from a single premises without a license.

The proposed rule is available in the August 4, 2000, Federal Register or on the Internet at [www.aphis.usda.gov/ppd/rad/webrepor.html](http://www.aphis.usda.gov/ppd/rad/webrepor.html) under docket 97–121–1.




---

## Comments Reviewed on Environmental Enrichment Policy

In FY 2000, AC received and reviewed more than 230 comments on the policy regarding environmental enrichment for nonhuman primates and drafted a final policy. During FY 2001, the Department reviewed and cleared the policy. At the beginning of FY 2002, the Office of Management and Budget began its review.

The policy, which will serve as a resource for inspectors and regulated parties, will complement the National Research Council’s fall 1998 publication on this same issue. The goal is to use both documents to best attain enrichment for primates as mandated by the 1985 amendment to the AWA.

---

## Comments Reviewed on Training and Handling of Dangerous Animals

In FY 2001, AC reviewed comments on a revised draft policy regarding best practices for the training and handling of potentially dangerous wild and exotic animals. Among other things, the notice sought input on suggested experience requirements for animal handlers and trainers, as well as on contingency plans for the recapture of escaped or uncontrollable animals. The revision was based on comments received in FY 1998. The second comment period was open from February 18 through April 18, 2000, and more than 250 comments were received. AC also held a public meeting on the draft policy and other issues involving exhibit animals. Comments made at the meeting or submitted otherwise during the comment period were considered and incorporated into the policy as appropriate. A revised draft has been submitted to the Department for final approval and clearance.

---

## Perimeter Fencing Rule Completed

On October 18, 2000, AC published its final rule on perimeter fencing requirements for animals covered under the AWA, with emphasis on wild and exotic animals. It became effective November 17. The rule does not apply to nonhuman primates, which are already covered under subpart D of the AWA regulations. In general, the rule would require a perimeter fence at least 6 feet high for most animals and 8 feet high for dangerous animals, such as elephants, bears, and large cats. All requirements are designed to contain the animals and to keep out unwanted animals.

AC is pursuing a technical amendment to the rule to correct the inadvertent inclusion of bobcats in a list of large felines. Bobcats are wild felines that can range from 12 to 60 or more pounds. The amendment would require only a 6-foot perimeter fence for bobcats, rather than an 8-foot fence. The amendment was published November 28, 2000.

---

## Work Progresses on Swim-With-the-Dolphins Rule

On September 4, 1998, APHIS published a final rule that establishes new requirements for “swim-with-the-dolphins” programs. The new rule includes requirements that facilities maintain three separate pool areas: an interactive area, a buffer zone, and a sanctuary where the dolphins can swim free of public contact. In early FY 1999, based on the nature of shallow-water interactive or wading programs, AC suspended the attendant-to participant ratio requirements and the interactive space requirements for wading programs. In April 1999, because of other considerations, APHIS suspended enforcement of the rule overall and solicited additional comments to evaluate the appropriateness of the rule given the extensive evolution of swim-with-the-dolphins programs in recent years. AC developed proposed amendments to the current rule that are more supportable based on existing scientific data and more appropriate to the nature of existing programs, including the wading programs. In FY 2001, APHIS decided to move forward with an advance notice of proposed rulemaking, including solicitation of comments and information, on the amendments. The rulemaking would include swim and other interactive programs. APHIS made this decision in order to accommodate any recent changes in industry practices and scientific knowledge before proceeding with a proposed rule.

---

## Policies Completed

At the end of FY 2001, the following policies had been issued:

Guidelines for the confiscation of animals (policy 8, revised)

Capture methods of prairie dogs (policy 27, revised)

---

## Other Policy Initiatives

During FY 2001, AC worked on an additional AWA policy:

Space and exercise requirements for traveling exhibitors (policy 6, being revised)

---

## Other Regulatory Initiatives

AC worked on other initiatives during FY 2001 and published them in the *Federal Register*. These include

*Notices:*

Petition for regulation of rats, mice, and birds

*Proposed Rules:*

Acclimation certificates for dogs and cats (under review)

*Final Rules:*

Standards for marine mammals: consensus language (published 1/3/2001)





## Glossary of Terms

*Airport inspection*—Individual airline inspections of terminal, cargo, and baggage areas made at airports for compliance with the AWA regulations and standards.

*Alleged violation*—A violation of the AWA regulations or standards that has been documented as existing but has not been legally concluded.

*Carrier*—The operator of any airline, railroad, motor carrier, shipping line, or other enterprise that is engaged in the business of transporting any animals for hire.

*Commerce*—Trade, traffic, or transportation that is between a place in a State and any place outside of such State (including foreign countries), or between points within the same State but through any place outside of the State.

*Complaints*—(1) A civil or administrative complaint informs the alleged violator of the AWA about allegations charged against him/her. (2) A public complaint is information received from citizens, humane groups, or others concerning possible violations of the AWA, regulations, or standards at animal facilities.

*Compliance*—The status of a facility that meets all of the regulatory requirements set forth in the AWA regulations and standards.

*Dealer*—Any person who, in commerce, for compensation or profit, delivers for transportation, or transports (except as a carrier), buys, or sells, or negotiates the purchase or sale of (1) any dog or other animal whether alive or dead (including unborn animals, organs, limbs, blood, serum, or other parts) for research, teaching, testing, experimentation, exhibition, or for use as a pet; or (2) any dog for hunting, security, or breeding purposes. The term dealer does not include a retail pet store unless such store sells any animals to a research facility, an exhibitor, or to a dealer (wholesale); or any person who does not sell, or negotiate the purchase or sale, of any wild or exotic animal, dog, or cat and who derives no more than \$500 gross income from the sale of animals, dogs, or cats, during any calendar year.

*Enforcement*—The activities undertaken by USDA and APHIS AC and IES personnel to ensure that the AWA's regulations and standards are met. Enforcement includes developing alleged violation cases and taking action in the form of Letters of Warning, warning tickets, stipulations, administrative complaints, hearings, trials, and other legal procedures and methods to obtain compliance.

*Exhibitor*—Any person (public or private) exhibiting any animals which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation. Exhibitors include carnivals, circuses, animal acts, zoos, and educational exhibits, whether exhibiting for profit or not. The term exhibitor excludes most retail pet stores, horse and dog races, organizations sponsoring, and all persons participating in State and county fairs, livestock shows, rodeos, field trials, coursing events, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences.

*Facility*—A facility is the holder of the license or registration. Each facility may have only one license or registration number but may be physically divided into two or more sites.

*Inspections*—

- *Attempted inspection*—An inspection that could not be completed, including those where representatives of the inspected entities were not onsite or transportation facilities were found to have no animals present.
- *Compliance inspection*—An unannounced inspection completed, after licensing or registration, to determine the facility's compliance with the AWA regulations and standards. Compliance inspections include reinspections.
- *Prelicensing or Preregistration inspection*—An announced inspection made, after application for licensure or registration has been submitted, to ascertain compliance with the AWA regulations

and standards prior to licensing or registering the facility. Prelicensing inspections are required. Preregistration inspections, although not required, are often performed upon request of the facility.

- *Reinspection*—An inspection made specifically to follow up on one or more violations documented during a compliance inspection.

*Intermediate handler*—Any person who is engaged in any business receiving custody of animals in connection with their transportation in commerce. This definition excludes dealers, research facilities, exhibitors, operators of auction sales, and carriers.

*Investigation*—Inquiries and examination of allegation(s) that a person or facility is not complying with the AWA or its regulations or standards.

*License classes*—

- A *class A licensee* is anyone meeting the definition of "dealer" whose business consists only of animals that are bred and raised on the premises in a closed or stable colony and those animals acquired for the sole purpose of maintaining or enhancing the breeding colony.
- A *class B licensee* is anyone meeting the definition of a "dealer" whose business includes the purchase and/or resale of any animal. Class B licensees include brokers and operators of auction sales, as such individuals negotiate or arrange for the purchase, sale, or transport of animals in commerce.
- A *class C licensee* is anyone meeting the definition of an "exhibitor" whose business involves the showing or displaying of animals to the public.

*Random-source dogs and cats*—Animals acquired from animal pounds and shelters, auction sales, or from any person who did not breed and raise the animals on his or her premises.

*Registrant*—Any research facility, carrier, intermediate handler, or exhibitor whose primary business is not required to be licensed by the AWA. If a registered facility conducts an activity that requires a license, then it will also be licensed for that activity. For example, some research facilities have a dealer license in addition to their registration because they occasionally sell surplus animals to other research facilities.

*Research facility*—Any school (other than elementary or secondary), institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that (1) purchases or transports live animals in commerce or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments.

- An *active registered research facility* is a USDA-registered research facility that currently utilizes animals covered by the AWA for teaching, testing, or experimentation.
- An *inactive registered research facility* is a USDA-registered research facility that currently does not utilize animals covered by the AWA for teaching, testing, or experimentation.

*Retail pet store*—Any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, coldblooded species, and other common small pets. Retail pet stores do not include any establishment or persons who (1) deal in dogs used for hunting, security, or breeding purposes; (2) exhibit, sell, or offer to exhibit or sell, any wild or exotic or other nonpet species of warmblooded animals (except birds) such as skunks, raccoons, nonhuman primates, squirrels, ocelots, foxes, coyotes, etc.; (3) sell warmblooded animals (except birds and laboratory rats and mice) for research or exhibition purposes; (4) wholesale any animals (except birds and laboratory rats and mice); or (5) exhibit pet animals in a room

that is separate from or adjacent to the retail pet store, or in an outside area, or anywhere off the retail pet store premises.

*Search*—Activity associated with finding unlicensed or unregistered entities.

*Site*—All regulated components of a licensed or registered facility within the same geographical location, typically within a 35-mile radius.

*Stipulation*—An agreement by a violator to accept assessment of a civil penalty, license suspension, or combination of both. The stipulation procedure is used instead of formal administrative hearings. Alleged violators are offered the opportunity to waive a hearing by agreeing to enter into a stipulation, in which case they will pay a specified civil penalty and/or have their license suspended for a specified period.

*Violation*—An area or item, at a registered or licensed facility, found to be out of compliance with the regulations or standards of the AWA.

Table 1. Number of Licensees and Registrants, By Facilities and Number of Sites (FY 2001)

	Registered intermediate handlers		Registered carriers		Licensed Class A dealers		Licensed Class B dealers		Licensed exhibitors		Registered exhibitors		Active research facilities		Inactive research facilities	
	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites
<b>Total United States</b>	300	493	77	1,139	3,573	4,180	1,166	1,612	2,531	3,437	18	20	1,216	1,868	35	32
Alabama	1	2	0	20	6	7	10	15	44	58	0	0	13	17	0	0
Alaska	3	5	3	19	2	2	0	0	9	9	0	0	3	4	0	0
Arizona	11	14	2	20	3	4	6	6	31	38	0	0	10	11	0	0
Arkansas	1	3	0	15	191	202	35	46	27	37	0	0	8	10	0	0
California	35	62	6	130	20	28	23	39	250	356	0	0	179	229	5	4
Colorado	5	12	1	22	6	6	9	9	34	39	0	0	25	26	0	0
Connecticut	7	13	0	11	0	0	9	12	41	53	0	0	17	30	1	1
Delaware	0	0	0	0	0	0	3	5	7	10	0	0	8	13	0	0
District of Columbia	0	2	0	13	0	0	0	0	0	0	0	0	5	8	1	1
Florida	25	49	4	63	40	48	95	123	264	431	1	1	21	40	5	4
Georgia	12	15	3	38	26	35	13	16	53	75	2	2	15	33	0	0
Guam	1	1	0	2	0	0	0	0	3	3	0	0	0	0	0	0
Hawaii	15	15	4	25	0	0	0	0	16	18	0	0	2	2	0	0
Idaho	0	1	0	6	4	4	3	3	18	23	0	0	4	6	0	0
Illinois	10	10	1	19	62	69	44	56	136	181	2	2	41	45	1	1
Indiana	2	6	1	15	42	48	37	47	71	90	0	0	21	29	0	0
Iowa	0	3	1	18	312	470	57	69	44	58	0	0	16	21	0	0
Kansas	0	0	1	11	406	451	67	84	27	39	0	0	18	21	1	1
Kentucky	4	11	0	18	9	9	5	6	18	26	1	1	7	13	1	1
Louisiana	0	3	0	4	14	16	10	12	20	26	0	0	14	28	0	0
Maine	3	3	0	7	1	2	2	9	8	17	0	0	10	23	0	0
Maryland	4	8	0	15	7	10	14	21	29	40	0	0	41	71	0	0
Massachusetts	5	9	1	14	7	14	9	20	40	56	0	0	83	189	1	1
Michigan	6	11	1	35	13	16	33	47	98	123	4	4	32	45	0	0
Minnesota	1	4	2	11	75	88	37	46	56	72	2	2	26	41	1	1
Mississippi	0	1	0	2	5	9	4	5	15	20	0	0	5	5	0	0
Missouri	9	13	3	30	1,181	1,340	153	217	68	101	0	0	37	38	0	0
Montana	0	0	1	27	13	14	0	0	17	18	0	0	9	11	0	0
Nebraska	0	0	0	8	153	186	15	18	15	18	0	0	14	16	0	0
Nevada	3	8	2	20	3	2	6	11	49	71	0	0	2	10	0	0
New Hampshire	1	1	1	5	0	0	1	4	19	24	0	0	4	12	0	0
New Jersey	8	17	2	10	9	8	17	35	48	58	0	0	45	86	2	2
New Mexico	2	3	1	10	4	4	3	3	13	15	0	0	10	10	0	0
New York	26	41	4	68	22	29	30	42	118	151	0	0	86	138	2	2
North Carolina	9	15	3	48	9	10	30	44	49	60	0	0	23	35	1	0
North Dakota	1	1	0	15	22	27	5	9	16	25	0	0	3	5	0	0
Ohio	4	7	1	29	26	28	31	36	68	103	4	4	44	68	3	3
Oklahoma	3	3	0	8	446	484	58	72	24	34	0	0	17	26	1	1
Oregon	14	15	1	16	35	37	35	39	48	55	0	0	10	10	0	0
Pennsylvania	13	20	2	52	128	151	49	78	112	144	0	0	71	114	2	2
Puerto Rico	2	2	2	8	0	0	1	1	6	6	0	0	7	14	0	0
Rhode Island	0	1	0	5	0	0	1	2	7	8	0	0	6	13	1	1
South Carolina	2	4	0	17	7	11	6	13	22	28	0	0	10	18	0	0
South Dakota	0	0	0	17	103	113	15	18	20	29	0	0	6	6	0	0
Tennessee	3	9	3	38	21	27	13	18	36	44	0	0	16	26	3	3
Texas	20	27	5	55	90	105	105	151	210	290	0	0	78	102	0	0
Utah	5	6	2	10	1	0	2	2	15	18	0	0	8	8	0	0
Vermont	1	3	0	5	0	0	3	4	4	6	0	0	4	4	0	0
Virgin Islands	2	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	8	13	4	16	12	17	16	20	54	68	1	2	15	36	1	1
Washington	9	14	5	43	16	17	13	21	31	40	0	0	31	35	2	2
West Virginia	1	1	0	3	0	0	6	9	9	11	0	0	5	6	0	0
Wisconsin	3	4	4	20	20	31	27	49	93	113	1	2	28	58	0	0
Wyoming	0	0	0	0	1	1	0	0	1	1	0	0	3	3	0	0

# Appendix

**Table 2. Animals Used in Research (FY 2001)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,236,903	70,082	22,755	49,382	256,193	167,231	267,351	26,236	60,253	75,169	242,251
<b>Total research</b>	1,122,403	68,945	22,374	43,838	244,482	155,557	259,043	13,595	48,679	39,216	226,674
<b>Federal agencies</b>	114,500	1,137	381	5,544	11,711	11,674	8,308	12,641	11,574	35,953	15,577
Alabama	8,163	1,796	308	941	587	32	2,228	166	519	658	928
Alaska	26	8	0	0	0	0	8	0	0	0	10
Arizona	6,134	302	84	102	109	563	721	107	273	204	3,669
Arkansas	2,833	1,109	31	0	505	0	884	0	215	2	87
California	119,286	2,911	1,588	5,872	29,516	7,497	50,098	3,537	4,378	4,898	8,991
Colorado	8,368	859	291	18	2,794	1,553	784	633	515	62	859
Connecticut	7,103	728	90	485	1,383	1,037	1,783	6	559	8	1,024
Delaware	56,778	2,126	1,227	31	11,348	16,253	19,037	75	2,204	1,113	3,364
District of Columbia	1,867	168	35	22	64	281	460	56	741	0	40
Florida	7,094	360	347	402	1,012	206	1,126	186	1,007	213	2,235
Georgia	19,470	1,507	597	3,310	382	4,765	4,474	15	774	185	3,461
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	113	0	1	5	0	80	16	0	0	0	11
Idaho	889	45	12	0	0	0	88	0	0	3	741
Illinois	39,128	2,532	727	683	10,861	1,778	14,912	560	3,843	592	2,640
Indiana	23,505	2,437	1,130	291	3,560	802	3,109	50	476	27	11,623
Iowa	58,612	1,708	1,468	19	5,712	38,650	3,697	164	332	869	5,993
Kansas	19,423	989	731	178	77	530	424	48	310	12,407	3,729
Kentucky	2,794	184	76	101	215	504	1,023	1	206	10	474
Louisiana	14,289	745	221	2,913	426	30	2,625	10	337	233	6,749
Maine	3,457	9	13	0	3	12	225	0	102	274	2,819
Maryland	26,679	852	358	2,503	8,742	2,195	6,911	332	489	184	4,113
Massachusetts	134,568	1,408	410	3,819	20,847	8,946	9,769	864	3,018	3,426	82,061
Michigan	39,023	5,236	808	1,305	13,293	1,622	5,316	314	558	447	10,124
Minnesota	16,365	1,858	589	311	4,794	853	3,697	632	2,633	605	393
Mississippi	1,502	341	36	134	0	332	224	25	199	14	197
Missouri	34,722	2,551	1,956	111	5,453	6,461	3,681	521	1,823	1,847	10,318
Montana	1,981	12	32	28	397	0	1,273	107	0	63	69
Nebraska	44,269	826	971	67	2,297	31,251	3,488	193	1,416	1,728	2,032
Nevada	1,979	100	0	0	460	0	128	253	0	0	1,038
New Hampshire	817	27	11	10	0	113	91	447	63	0	55
New Jersey	78,736	6,388	516	2,937	33,478	8,690	13,528	17	2,647	300	10,235
New Mexico	1,159	186	0	57	32	70	60	0	40	33	681
New York	50,888	5,636	2,023	1,947	9,665	6,116	8,198	445	1,927	256	14,675
North Carolina	21,289	1,501	587	1,298	7,416	688	5,289	131	2,474	141	1,764
North Dakota	309	19	29	0	0	0	0	221	20	20	0
Ohio	63,387	4,923	1,042	717	30,281	3,126	15,215	283	4,058	405	3,337
Oklahoma	4,586	698	134	63	483	132	793	48	43	134	2,058
Oregon	3,993	130	59	1,200	859	677	384	249	276	59	100
Pennsylvania	85,356	5,431	1,611	2,395	19,100	2,337	44,133	718	2,459	1,006	6,166
Puerto Rico	328	0	0	35	20	112	74	0	18	0	69
Rhode Island	1,491	56	46	1	45	169	192	108	247	47	580
South Carolina	3,146	241	98	200	251	8	742	0	342	8	1,256
South Dakota	5,135	62	31	8	0	6	360	388	1,259	2,850	171
Tennessee	7,103	941	194	298	1,226	501	979	115	1,491	69	1,289
Texas	37,176	2,079	603	2,897	5,745	3,158	13,216	954	1,681	3,186	3,657
Utah	4,686	215	106	35	1,292	247	1,258	176	86	60	1,211
Vermont	1,213	39	13	0	473	263	172	60	0	2	191
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	15,129	1,761	186	1,676	220	854	4,548	32	1,118	158	4,576
Washington	13,380	1,209	320	1,815	3,718	323	2,245	159	477	148	2,966
West Virginia	722	19	50	0	111	53	214	89	22	0	164
Wisconsin	21,584	3,651	565	2,598	5,214	1,679	5,087	100	1,004	246	1,440
Wyoming	370	26	13	0	16	2	56	0	0	16	241

Table 3. Animals Used in Research, No Pain or Distress—No Drugs Needed for Relief (FY 2001)

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	705,602	34,533	13,008	22,069	150,677	79,056	156,364	16,585	22,140	59,900	151,270
<b>Total research</b>	637,466	34,327	12,828	19,260	146,239	74,530	155,160	4,823	14,003	31,030	145,266
<b>Federal agencies</b>	68,136	206	180	2,809	4,438	4,526	1,204	11,762	8,137	28,870	6,004
Alabama	2,644	657	186	88	160	2	639	20	8	473	411
Alaska	8	0	0	0	0	0	8	0	0	0	0
Arizona	4,149	8	4	77	109	408	76	1	10	155	3,301
Arkansas	1,829	934	29	0	80	0	663	0	114	0	9
California	67,404	1,320	1,043	2,639	15,726	1,205	33,238	1,854	968	4,648	4,763
Colorado	2,494	392	128	0	1,028	89	410	12	11	40	384
Connecticut	2,045	150	21	107	532	2	693	3	153	8	376
Delaware	33,179	1,059	809	31	4,673	7,176	16,027	75	2,189	1,069	71
District of Columbia	120	12	0	0	64	15	29	0	0	0	0
Florida	2,764	208	115	174	392	143	283	16	40	165	1,228
Georgia	6,100	777	278	279	149	1,276	331	2	17	77	2,914
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	86	0	1	5	0	62	7	0	0	0	11
Idaho	724	6	2	0	0	0	33	0	0	0	683
Illinois	27,246	1,143	515	283	8,064	833	11,068	509	2,696	490	1,645
Indiana	7,948	763	870	17	572	224	827	0	12	19	4,644
Iowa	38,136	626	805	0	4,824	24,727	990	46	104	788	5,226
Kansas	15,906	843	656	0	17	28	113	48	106	12,353	1,742
Kentucky	210	0	0	0	4	180	16	0	0	0	10
Louisiana	7,311	36	52	959	10	28	118	10	10	127	5,961
Maine	2,853	4	4	0	3	12	225	0	0	251	2,354
Maryland	10,670	393	86	944	2,797	582	3,497	0	47	24	2,300
Massachusetts	91,135	468	184	1,968	16,154	2,874	3,278	118	271	148	65,672
Michigan	20,894	2,823	382	853	6,266	372	2,028	55	22	411	7,682
Minnesota	7,778	163	46	82	4,459	189	1,403	74	699	513	150
Mississippi	376	4	19	55	0	0	83	0	47	8	160
Missouri	15,026	1,830	1,754	7	4,031	1,503	2,243	378	1,209	1,557	514
Montana	1,588	12	22	23	397	0	1,052	0	0	57	25
Nebraska	27,402	614	716	50	1,804	18,854	2,580	154	1,200	234	1,196
Nevada	1,679	100	0	0	428	0	113	0	0	0	1,038
New Hampshire	131	0	0	0	0	0	59	8	32	0	32
New Jersey	47,151	3,587	364	1,171	20,919	5,819	9,611	0	533	224	4,923
New Mexico	843	78	0	48	32	70	6	0	20	21	568
New York	21,619	3,278	874	1,191	4,295	1,573	2,165	108	214	170	7,751
North Carolina	11,782	783	253	267	5,458	11	3,521	6	451	106	926
North Dakota	66	5	0	0	0	0	0	41	0	20	0
Ohio	43,942	2,995	345	452	25,680	657	11,551	30	740	34	1,458
Oklahoma	2,774	300	89	16	314	4	119	39	4	106	1,783
Oregon	442	25	20	96	4	124	4	0	23	46	100
Pennsylvania	55,792	3,832	1,171	1,070	9,683	1,030	34,679	401	575	707	2,644
Puerto Rico	139	0	0	0	0	11	59	0	0	0	69
Rhode Island	725	6	0	0	0	119	29	28	0	21	522
South Carolina	1,091	33	45	200	1	0	216	0	0	4	592
South Dakota	4,296	18	28	0	0	6	322	352	674	2,800	96
Tennessee	1,241	29	21	13	131	412	156	5	23	25	426
Texas	20,580	932	343	2,049	3,690	2,243	6,179	291	189	2,729	1,935
Utah	1,334	40	31	0	0	113	152	6	0	2	990
Vermont	724	9	5	0	399	55	24	41	0	0	191
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	7,970	658	34	1,098	75	473	1,030	2	198	126	4,276
Washington	3,841	554	197	969	75	135	1,045	40	152	112	562
West Virginia	181	0	0	0	23	13	10	0	0	0	135
Wisconsin	10,930	1,820	281	1,979	2,717	876	2,134	50	242	152	679
Wyoming	168	0	0	0	0	2	18	0	0	10	138

## Appendix

Table 4. Animals Used in Research, With Pain or Distress—Drugs Used for Relief (FY 2001)

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	425,786	33,878	9,339	26,460	69,371	43,254	105,951	9,154	36,883	13,471	78,025
<b>Total research</b>	385,930	32,951	9,138	23,859	65,411	37,438	99,256	8,275	33,721	6,420	69,461
<b>Federal agencies</b>	39,856	927	201	2,601	3,960	5,816	6,695	879	3,162	7,051	8,564
Alabama	5,180	1,088	122	853	427	30	1,541	146	511	185	277
Alaska	18	8	0	0	0	0	0	0	0	0	10
Arizona	1,926	294	80	25	0	108	645	106	251	49	368
Arkansas	812	0	2	0	424	0	205	0	101	2	78
California	45,488	1,432	545	3,219	8,107	6,292	16,483	1,683	3,399	150	4,178
Colorado	3,374	364	163	0	487	856	332	586	477	11	98
Connecticut	4,224	397	69	112	583	1,035	971	3	406	0	648
Delaware	14,240	1,014	396	0	5,986	1,309	2,978	0	15	44	2,498
District of Columbia	1,747	156	35	22	0	266	431	56	741	0	40
Florida	4,235	146	232	228	561	61	815	170	967	48	1,007
Georgia	11,836	722	303	3,020	233	3,120	3,013	13	757	108	547
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	27	0	0	0	0	18	9	0	0	0	0
Idaho	140	39	10	0	0	0	30	0	0	3	58
Illinois	10,776	1,386	212	399	2,186	945	3,749	51	952	41	855
Indiana	8,577	1,537	203	272	2,988	578	2,205	50	464	8	272
Iowa	6,129	956	571	19	581	101	2,707	118	228	81	767
Kansas	3,517	146	75	178	60	502	311	0	204	54	1,987
Kentucky	2,584	184	76	101	211	324	1,007	1	206	10	464
Louisiana	6,978	709	169	1,954	416	2	2,507	0	327	106	788
Maine	186	5	9	0	0	0	0	0	102	23	47
Maryland	15,374	459	272	1,559	5,320	1,613	3,404	332	442	160	1,813
Massachusetts	40,879	935	226	1,842	4,132	5,872	6,489	745	2,597	1,695	16,346
Michigan	11,102	2,311	426	342	2,007	1,175	2,975	259	534	36	1,037
Minnesota	8,411	1,695	543	229	335	664	2,118	558	1,934	92	243
Mississippi	1,126	337	17	79	0	332	141	25	152	6	37
Missouri	14,076	721	202	104	503	286	1,409	143	614	290	9,804
Montana	393	0	10	5	0	0	221	107	0	6	44
Nebraska	5,555	192	239	17	378	1,278	908	39	216	1,494	794
Nevada	300	0	0	0	32	0	15	253	0	0	0
New Hampshire	683	27	11	10	0	113	29	439	31	0	23
New Jersey	26,840	2,595	143	1,701	11,336	492	3,118	17	2,114	76	5,248
New Mexico	314	106	0	9	0	0	54	0	20	12	113
New York	24,481	2,227	980	710	3,256	2,703	5,845	337	1,713	86	6,624
North Carolina	7,966	717	334	1,031	590	677	1,683	125	1,936	35	838
North Dakota	243	14	29	0	0	0	0	180	20	0	0
Ohio	16,104	1,920	697	244	1,478	2,469	3,492	253	3,318	371	1,862
Oklahoma	1,812	398	45	47	169	128	674	9	39	28	275
Oregon	3,551	105	39	1,104	855	553	380	249	253	13	0
Pennsylvania	24,993	1,504	421	1,246	5,759	1,063	9,012	317	1,850	299	3,522
Puerto Rico	169	0	0	35	0	101	15	0	18	0	0
Rhode Island	675	50	46	1	45	50	122	49	247	17	48
South Carolina	2,055	208	53	0	250	8	526	0	342	4	664
South Dakota	392	44	3	8	0	0	28	36	148	50	75
Tennessee	5,829	879	173	285	1,095	89	823	110	1,468	44	863
Texas	15,151	1,118	252	833	2,024	519	6,980	233	1,492	457	1,243
Utah	2,559	175	75	35	499	134	1,106	170	86	58	221
Vermont	441	30	8	0	74	160	148	19	0	2	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	7,126	1,103	152	545	145	381	3,518	30	920	32	300
Washington	5,515	653	123	817	339	188	1,200	119	325	34	1,717"
West Virginia	541	19	50	0	88	40	204	89	22	0	29
Wisconsin	9,078	1,800	284	619	1,436	803	2,642	50	762	94	588
Wyoming	202	26	13	0	16	0	38	0	0	6	103

**Table 5. Animals Used in Research, With Pain or Distress—No Drugs Used for Relief (FY 2001)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
Total United States	105,515	1,671	408	853	36,145	44,921	5,036	497	1,230	1,798	12,956
Total research	99,007	1,667	408	719	32,832	43,589	4,627	497	955	1,766	11,947
Federal agencies	6,508	4	0	134	3,313	1,332	409	0	275	32	1,009
Alabama	339	51	0	0	0	0	48	0	0	0	240
Alaska	0	0	0	0	0	0	0	0	0	0	0
Arizona	59	0	0	0	0	47	0	0	12	0	0
Arkansas	192	175	0	0	1	0	16	0	0	0	0
California	6,394	159	0	14	5,683	0	377	0	11	100	50
Colorado	2,500	103	0	18	1,279	608	42	35	27	11	377
Connecticut	834	181	0	266	268	0	119	0	0	0	0
Delaware	9,359	53	22	0	689	7,768	32	0	0	0	795
District of Columbia	0	0	0	0	0	0	0	0	0	0	0
Florida	95	6	0	0	59	2	28	0	0	0	0
Georgia	1,534	8	16	11	0	369	1,130	0	0	0	0
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	0	0	0	0	0	0	0	0	0	0	0
Idaho	25	0	0	0	0	0	25	0	0	0	0
Illinois	1,106	3	0	1	611	0	95	0	195	61	140
Indiana	6,980	137	57	2	0	0	77	0	0	0	6,707
Iowa	14,347	126	92	0	307	13,822	0	0	0	0	0
Kansas	0	0	0	0	0	0	0	0	0	0	0
Kentucky	0	0	0	0	0	0	0	0	0	0	0
Louisiana	0	0	0	0	0	0	0	0	0	0	0
Maine	418	0	0	0	0	0	0	0	0	0	418
Maryland	635	0	0	0	625	0	10	0	0	0	0
Massachusetts	2,554	5	0	9	561	200	2	1	150	1,583	43
Michigan	7,027	102	0	110	5,020	75	313	0	2	0	1,405
Minnesota	176	0	0	0	0	0	176	0	0	0	0
Mississippi	0	0	0	0	0	0	0	0	0	0	0
Missouri	5,620	0	0	0	919	4,672	29	0	0	0	0
Montana	0	0	0	0	0	0	0	0	0	0	0
Nebraska	11,312	20	16	0	115	11,119	0	0	0	0	42
Nevada	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	3	0	0	0	0	0	3	0	0	0	0
New Jersey	4,745	206	9	65	1,223	2,379	799	0	0	0	64
New Mexico	2	2	0	0	0	0	0	0	0	0	0
New York	4,788	131	169	46	2,114	1,840	188	0	0	0	300
North Carolina	1,541	1	0	0	1,368	0	85	0	87	0	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0
Ohio	3,341	8	0	21	3,123	0	172	0	0	0	17
Oklahoma	0	0	0	0	0	0	0	0	0	0	0
Oregon	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania	4,571	95	19	79	3,658	244	442	0	34	0	0
Puerto Rico	20	0	0	0	20	0	0	0	0	0	0
Rhode Island	91	0	0	0	0	0	41	31	0	9	10
South Carolina	0	0	0	0	0	0	0	0	0	0	0
South Dakota	447	0	0	0	0	0	10	0	437	0	0
Tennessee	33	33	0	0	0	0	0	0	0	0	0
Texas	1,445	29	8	15	31	396	57	430	0	0	479
Utah	793	0	0	0	793	0	0	0	0	0	0
Vermont	48	0	0	0	0	48	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	33	0	0	33	0	0	0	0	0	0	0
Washington	4,024	2	0	29	3,304	0	0	0	0	2	687
West Virginia	0	0	0	0	0	0	0	0	0	0	0
Wisconsin	1,576	31	0	0	1,061	0	311	0	0	0	173
Wyoming	0	0	0	0	0	0	0	0	0	0	0



# Appendix

**Table 6. Number of Animals Used by Research From the First Reporting Year (FY 1973) to the Present**

FY <sup>1</sup>	Dogs	Cats	Primates	Guinea Pigs	Hamsters	Rabbits	Farm animals	Other covered animals	Totals
1973	195,157	66,165	42,298	408,970	454,986	447,570		38,169	1,653,345
1974	199,204	74,259	51,253	430,439	430,766	425,585		81,021	1,692,527
1975	154,489	51,439	36,202	436,446	456,031	448,530		42,523	1,625,660
1976	210,330	70,468	50,115	486,310	503,590	527,551		73,736	1,922,100
1977	176,430	62,311	53,116	348,741	393,533	439,003		46,535	1,519,669
1978	197,010	65,929	57,009	419,341	414,394	475,162		58,356	1,687,201
1979	211,104	69,103	59,359	457,134	419,504	539,594		76,247	1,832,045
1980	188,783	68,482	56,024	422,390	405,826	471,297		49,102	1,661,904
1981	188,649	58,090	57,515	432,632	397,522	473,922		50,111	1,658,441
1982	161,396	49,923	46,388	459,246	337,790	453,506		69,043	1,577,292
1983	174,542	53,344	54,926	485,048	337,023	466,810		108,549	1,680,242
1984	201,936	56,910	55,338	561,184	437,123	529,101		232,541	2,074,133
1985	194,905	59,211	57,271	598,903	414,460	544,621		284,416	2,153,787
1986	176,141	54,125	48,540	462,699	370,655	521,773		144,470	1,778,403
1987	180,169	50,145	61,392	538,998	416,002	554,385		168,032	1,969,123
1988	140,471	42,271	51,641	431,457	331,945	459,254		178,249	1,635,288
1989	156,443	50,812	51,688	481,712	389,042	471,037		153,722	1,754,456
1990	109,992	33,700	47,177	352,627	311,068	399,264	66,702	257,569	1,578,099
1991	107,908	34,613	42,620	378,582	304,207	396,046	214,759	363,685	1,842,420
1992	124,161	38,592	55,105	375,063	396,585	431,432	210,936	529,308	2,134,182
1993	106,191	33,991	49,561	392,138	318,268	426,501	165,416	212,309	1,704,505
1994	101,090	32,610	55,113	360,184	298,934	393,751	180,667	202,300	1,624,649
1995	89,420	29,569	50,206	333,379	248,402	354,076	163,985	126,426	1,395,463
1996	82,420	26,035	52,327	299,011	246,415	338,574	154,344	146,579	1,345,739
1997	75,429	26,091	56,381	272,797	217,079	309,322	159,742	150,987	1,267,828
1998	76,071	24,712	57,377	261,305	206,243	287,523	157,620	142,963	1,213,814
1999	70,541	23,238	54,927	266,129	201,593	280,222	155,409	165,939	1,217,998
2000	69,516	25,560	57,518	<sup>1</sup> 266,873	174,146	258,754	159,711	166,429	<sup>1</sup> 1,286,412
2001	70,082	22,755	49,382	256,193	167,231	267,351	161,658	242,251	1,236,903

<sup>1</sup>The number of guinea pigs used in research (no pain—no drugs needed for relief) was overreported in massachusetts for FY 2000. The affected totals are corrected here.